



## County of Los Angeles CHIEF EXECUTIVE OFFICE

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DAVID E. JANSSEN  
Chief Executive Officer

July 31, 2007

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**DEPARTMENT OF PARKS AND RECREATION: LEVYING OF FISCAL YEAR  
2007-2008 ANNUAL ASSESSMENTS FOR LOS ANGELES COUNTY  
LANDSCAPING AND LIGHTING ACT (LLA) DISTRICT NOS. 1, 2 AND 4  
AND ZONES THEREIN  
(SUPERVISORIAL DISTRICTS 1, 3, 4, AND 5)  
(3 VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find that the actions are exempt from the California Environmental Quality Act (CEQA), according to the sections of the State CEQA Guidelines and the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, as, cited herein.
2. Approve and file the final Engineer's Report prepared in accordance with Section 22565 et. seq. of the California Streets and Highways Code ("Streets and Highways Code") for levy and collection of Assessments in Los Angeles County Landscape and Lighting Act ("LLA") District Nos. 1, 2, and 4 and Zones therein for Fiscal Year 2007-2008.
3. Order changes in any of the matters provided in the Engineer's Report, including changes in the improvements, the proposed diagrams or the proposed assessments as described in the Engineer's Report if needed.
4. Adopt the Resolution Ordering the levying of annual assessments in LLA District Nos. 1, 2, and 4 and Zones therein for Fiscal Year 2007-08.

Board of Supervisors  
GLORIA MOLINA  
First District

YVONNE B. BURKE  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

These recommended actions are for your Board to levy the Fiscal Year 2007-08 landscape maintenance assessments within LLA Districts 1, 2, and 4 as shown in the attached Engineer's Report. This action is pursuant to the provisions of the Landscape and Lighting Act of 1972 ("the Landscape and Lighting Act") in order to provide funds for the continued operation of the County-administered Districts.

On July 12, 1979, August 10, 1995, and July 22, 1997, your Board approved the formation of LLA District Nos. 1, 2, and 4 and Zones therein, respectively, for the purpose of providing landscaping in County-administered LLA Districts and Zones therein pursuant to provisions of the Landscaping and Lighting Act. As the governing body, the Board of Supervisors is responsible for levying the annual assessment for landscape and park maintenance purposes.

On June 12, 1979, your Board approved a method of distributing maintenance costs on the basis of land use and/or benefit and this same method will be used to compute the Fiscal Year 2007-08 assessments. This method and the proposed assessments on the various lots or parcels are shown in detail in the Engineer's Reports for each respective Zone.

### **Implementation of Strategic Plan Goals**

These actions will further the County's Strategic Plan Goals of Fiscal Responsibility (Goal 4) and Service Excellence (Goal 1). These recommendations, in compliance with the Landscape and Lighting Act and Article XIII D of the California Constitution, will allow the County to service and maintain the park, landscaping, and appurtenant facilities that benefit those that live within these zones.

### **FISCAL IMPACT/FINANCING**

All services provided in LLA District Nos. 1, 2, and 4 and Zones therein, are funded by the assessments established by the Board of Supervisors. There is no fiscal impact to the General Fund.

Your Board's approval of the annual landscape maintenance assessments is necessary to continue the collection of assessments, which is required to provide services to the homeowners. Each assessment expires annually and will lapse unless action is taken by your Board to continue funding for the operation and maintenance

of landscape improvements, including planted and weed abated slopes, shrubs, turf, plant materials, trees, automated irrigation systems, park amenities, and drainage devices in LLA District Nos. 1, 2, and 4 and Zones therein.

The recommended Fiscal Year 2007-08 annual assessments for LLA Districts 1, 2, and 4 total \$10,038,063. Due to the surplus in improvement funds in some Zones, credits totaling \$2,136,952 have been applied to those Zones in accordance with Section 22656 of the Landscape and Lighting Act. The proposed net applied assessments for LLA Districts 1, 2, and 4 total \$7,901,111.

The proposed increases in some Zones are limited to annual cost-of-living increases, which have been previously approved by the subject property owners through a ballot process in accordance with the Streets and Highways Code and Article XIII D of the California Constitution. Complete information on funding and services is included in the Engineer's Report for each respective zone.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

On June 5, 2007, your Board adopted a Resolution of Intention, declaring the Board's intent to levy and collect assessments in LLA District Nos. 1, 2, and 4 and Zones therein for Fiscal Year 2007-08. Furthermore, on July 24, 2007, a public hearing was held for the levy and collect assessments in LLA District Nos. 1, 2, and 4 and Zones therein for Fiscal Year 2007-08.

The Landscape and Lighting Act sets forth a procedure that must be followed for any fiscal year during which an assessment is to be levied. It requires that the legislative body adopt a Resolution Initiating Proceedings and generally describe any proposed improvements or substantial changes in existing improvements. As the governing body, the Board of Supervisors must order the Director of Parks and Recreation to have prepared and filed an Engineer's Report in accordance with Section 22565 *et. seq.* of the Streets and Highways Code. The Report will show an estimate of, and a proposed assessment to pay for the costs of providing landscape maintenance services for each zone.

The Landscape and Lighting Act provides a method of funding a landscape assessment district upon this basis with assessments collected through the consolidated tax bill. This provides for the assessment of landscape maintenance costs against the benefiting properties.

County Counsel has approved the attached Resolutions as to form.

**ENVIRONMENTAL DOCUMENTATION**

The proposed actions are exempt from CEQA, as CEQA does not apply to the establishment, modification, structuring, or approval of rates, tolls, fares, or other charges by public agencies for the purposes of (1) meeting operating expenses including employee wage rates and fringe benefits, (2) purchasing and leasing supplies, equipment or materials, (3) meeting financial reserve needs and requirements, and/or (4) obtaining funds for capital projects necessary to maintain service within existing service areas, pursuant to Section 21080 (b)8 of the Public Resources Code.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of these recommendations will benefit the community by providing funds for the continued beautification, maintenance and servicing of landscaped slopes, medians, park areas, and appurtenant improvements.

**CONCLUSION**

It is requested that an executed copy of this document be retained by the Executive Officer-Clerk of the Board and one conformed copy each be forwarded to the Chief Executive Office, County Counsel, Auditor-Controller, and two conformed copies be forwarded to the Department of Parks and Recreation.

Respectfully submitted,



DAVID E. JANSSEN  
Chief Executive Officer

DEJ:RG

Attachments (1)

c: County Counsel

**COUNTY OF LOS ANGELES  
BOARD OF SUPERVISORS**

**RESOLUTION ORDERING THE LEVYING OF  
ANNUAL ASSESSMENTS IN LOS ANGELES COUNTY  
LANDSCAPING AND LIGHTING ACT DISTRICT NOS. 1, 2, AND 4  
AND ZONES THEREIN FOR FISCAL YEAR 2007-08**

**WHEREAS**, The Board of Supervisors of the County of Los Angeles on June 5, 2007, adopted a Resolution of Intention to Order the Levying of Annual Assessments in Los Angeles County Landscaping and Lighting Act ("LLA") District Nos. 1, 2 and 4 and Zones therein for the purpose of providing funds for the provision of landscape maintenance services located therein, pursuant to provisions of the Landscaping and Lighting Act of 1972 ("the Landscape and Lighting Act"), Section 22500 *et. seq.* of the California Streets and Highways Code ("Streets and Highways Code"); and

**WHEREAS**, the Director of Parks and Recreation has prepared and filed an Engineer's Report with the Board of Supervisors as required by law; and

**WHEREAS**, said Board did proceed to give notice in the manner required by law of the time and place for a public hearing on the levy of the proposed assessments; and

**WHEREAS**, the Board of Supervisors, on June 5, 2007, adopted a Resolution of Intention, declaring the Board's intent to levy and collect assessments in LLA District Nos. 1, 2, and 4 and Zones therein for Fiscal Year 2007-08.

**WHEREAS**, the Board of Supervisors has heard all testimony and evidence and is desirous of proceeding with the levying of the assessments.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of the County of Los Angeles, State of California:

**SECTION 1.** The Board of Supervisors of the County of Los Angeles hereby finds that the public interest and convenience requires the continued maintenance of the landscape improvements in the existing LLA District Nos. 1, 2, and 4 and Zones therein.

**SECTION 2.** The landscape maintenance district diagrams and assessments as set forth in said Report, or as modified, are hereby approved, confirmed and adopted by the Board of Supervisors.

**SECTION 3.** The adoption of this Resolution constitutes the levy of assessments for the fiscal year commencing July 1, 2007 and ending June 30, 2008.

**SECTION 4.** That none of the assessments are proposed to be increased above the amounts previously authorized by said Board of Supervisors. The Engineer's Report describes the proposed assessments that have been adjusted for the cost of living, based on the Consumer Price Index, All Urban Consumers for the Los Angeles Riverside-Orange County Area (CPI), provided by the U. S. Department of Labor, in accordance with Article XIID of the California Constitution. The Engineer's Report also describes the proposed assessments to which credits have been applied due to a surplus in improvement funds in accordance with Section 22656 of the Landscape and Lighting Act.

**SECTION 5.** The amounts to be assessed for the expenses of the installation, maintenance, operation and service as described in said Report and Resolution shall be levied and collected in the same manner and by the same officers as taxes for County purposes are levied and collected and shall be disbursed and expended for maintenance, operation, and service of the said LLA District Nos. 1, 2, and 4 and Zones therein, all as described in the Engineer's Report and in Section 1 of the Resolution of intention.

**SECTION 6.** That the proceedings for the levying of assessments shall be taken under and in accordance with the Landscape and Lighting Act as heretofore defined.

**SECTION 7.** The Clerk of the Board is hereby ordered and directed to file a certified copy of the landscape maintenance district diagrams and assessments, together with a certified copy of this Resolution upon its adoption, with the County Auditor-Controller.

**SECTION 6.** That the proceedings for the levying of assessments shall be taken under and in accordance with the Landscape and Lighting Act as heretofore defined.

**SECTION 7.** The Clerk of the Board is hereby ordered and directed to file a certified copy of the landscape maintenance district diagrams and assessments, together with a certified copy of this Resolution upon its adoption, with the County Auditor-Controller.

The foregoing resolution was on the 31<sup>st</sup> day of July 2007 adopted by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.



**SACHI A. HAMAI**

Executive Officer -Clerk of the Board of  
Supervisors of the County of Los Angeles

By:

Sydney G. Lallalobos  
Deputy

APPROVED AS TO FORM:

**RAYMOND G. FORTNER JR.**  
**COUNTY COUNSEL**

By::

[Signature]  
Principal Deputy County/ Counsel